

REMARKS

The Office examined and rejected claims 1-7. With this paper claim 1 is amended. Claims 1-7 remain in the application.

Rejections under 35 U.S.C. §102

At paragraph 4 of the Office action, claims 1-2 and 5-7 are rejected under 35 U.S.C. §102(e) as being anticipated by Gronemeyer et al (U.S. Pat. No. 6,363,359).

With this paper, claim 1--the only independent claim of the application--is changed to more distinctly claim the invention, and in particular to recite that the invention provides a system for remote configuration monitoring of an *industrial control system*, and that the system comprises a device identifier for determining components of an automation or control device included in the industrial control system by periodically querying the device to obtain from the device information identifying at least some of its component hardware, software and firmware. Applicant respectfully submits that Gronemeyer et al does not anticipate the invention as claimed in amended claim 1, because, for one thing, Gronemeyer et al is not in any way directed to an industrial control system.

Accordingly, applicant respectfully requests that the rejections under 35 USC §102 of claims 1-2 and 5-7, be reconsidered and withdrawn.

There are other significant differences between what is disclosed in Gronemeyer et al and the invention as in claim 1. Gronemeyer et al teaches a method of facilitating e-commerce transactions between a client -- i.e. a web browser -- and a server over a network after the client

accesses a web page on the server, a method that includes having a "sentinel" (a software application previously installed on the client) search the client for "installed goods," e.g. a hard drive. As explained at col. 3, beginning line 10, the web page includes embedded code, which queries the sentinel regarding particular characteristics of the client computing device. The particular query made is dependent on which web page the client requested from the web server. Thus, for example, if the web browser were retrieving a web page concerning hard drives, the embedded code (e.g., JavaScript or other code) might query the sentinel to determine client computing device characteristics relevant to whether the client computing device needs a new hard drive. Thus, besides the fact that there is simply no teaching or suggestion in Gronemeyer et al of having a device identifier element determine components of an automation or control device included in an industrial control system, as in claim 1, there are two other major differences.

First, whereas in Gronemeyer et al the client first accesses a web page, in the invention as in claim 1 the device identifier queries an automation or control device included in an industrial control system *periodically*, i.e. *independent* of any action by the ICS device.

Second, claim 1 also includes as a limitation having the device identifier write the component identifications to a device database, and also recites a device configuration manager, responsive to the component identifications in the device database, and further responsive to available device components in a database of available device components, for comparing the installed device components with the available device components and for providing an offer to upgrade installed device components. Gronemeyer et al nowhere teaches

having a device configuration manager compare a database indicating component identifications for an automation and control device with a database of available upgrades as the basis for making an offer to upgrade installed device components. This is because Gronemeyer et al, in contrast to the invention as in claim 1, does not teach configuration monitoring, but instead teaches only obtaining from a client information about equipment/ software used by the client in order to make a sales pitch. Since Gronemeyer et al does not teach configuration monitoring, it nowhere teaches keeping a database of equipment in use by an automation or control device--a database that would only be kept in case of performing configuration monitoring--and so does not teach comparing such a database with a database of available upgrades. (In other words, even if Gronemeyer et al arguably teaches a data store of available upgrades, the server of Gronemeyer et al is not performing configuration monitoring, and so it can throw away the information it obtains from a client once it makes its sales pitch to the client.)

Rejections under 35 USC §103

At paragraph 6 of the Office action, claim 3 is rejected under 35 USC 103(a) as being unpatentable over Gronemeyer et al in view of Ogushi et al (U.S. Pub. No. 2002/0029086). At paragraph 7 of the Office action, claim 4 is rejected under 35 USC 103(a) as being unpatentable over Gronemeyer et al in view of Babu et al (U.S. Pat. No. 6,122,639).

On at least the ground that claims 3 and 4 each depend from claim 1, which is believed allowable for the reasons given above, applicant respectfully requests that the rejection under 35 USC §103 of claims 3 and 4 be withdrawn.

CONCLUSION

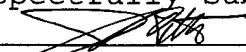
For all the foregoing reasons it is believed that claims 1-7 are in condition for allowance and their passage to issue is earnestly solicited.

Dec. 10, 2003  
Date

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